

10-2-14

TAUNTON PLANNING BOARD MINUTES
CITY HALL, TAUNTON, MA 02780
(Meeting held at Maxham School, 141 Oak St., Taunton, Ma.)

DATE: October 2, 2014

BOARD MEMBERS: Daniel Dermody, Chrmn. Anthony Abreau
Bob Campbell V.C. Arthur Lopes
Manuel Spencer, Clerk Joshua Borden
John Reardon
ADVISORS: Mark Slusarz, City Engineer
Kevin Scanlon, City Planner

Roll Call: Borden, Campbell, Spencer, Abreau, Lopes, Spencer and Dermody. Present. Meeting opens at 5:30 PM.

Arthur made motion to revert out of the regular order of business, seconded by Bob. All in favor.

Meadow Land Estates – Release of last lot – E-5 Circulated – holding (75,264.00 plus \$150,000 bond)

Clerk Spencer read request for release of last lot. Dept. comments from City Engineer, B.O.H., Conservation Commission, DPW Water dept., City Planner and outside consultant Michael Patneade, Earth Services Corp., were read into the record and placed on file. The Board is holding enough monies to release last lot.

Bob made motion to release last lot without any additional surety being required, seconded by Arthur. All in favor.

Public Hearing – Form J – 134 Caswell Street - Waiver of frontage requirements – divide one lot into two lots – submitted by James Martinelli

Roll Call: Borden, Abreau, Campbell, Lopes, Reardon, Spencer and Dermody present.

Hearing opens at 5:35 PM. James Martinelli was invited into the enclosure. Clerk Spencer read dept. comments from City Planner, Conservation Commission and City Engineer which were placed on file.

Mr. Martinelli stated he will live in back lot with his family and elderly father. The exiting house in front is not wheelchair accessible with two floors with very small narrow space. He explained that lot 2 (his lot) will be handle the maintenance of the driveway. Bob asked if access to both lots will be from same driveway. Mr. Martinelli said access for Lot 1 will be from left driveway and access for Lot 2 will use right side driveway. Josh suggested removing a portion of the circular driveway resulting in two separate driveways and Mr. Martinelli was in agreement. He doesn't know why the ZBA put the 50 foot no touch restriction which results in them not being able to use that land for driveway. Bob stated the ZBA decision states as a result of a neighbor's input the 50 Foot no touch was put in there. Manny asked Mr. Martinelli if he lived there now and he answers yes. Tony asked if there would be separate water and Mr. Martinelli answers yes. Public Input opened. No one in favor or opposed. Public input closed.

Bob made motion, seconded by Tony, to approve the Form J plan for 134 Caswell Street with the following conditions:

- Lot 2 shall have the responsibility for maintenance for its own driveway and snow clearing.
- A copy of the recorded access easement and utility easement shall be provided prior to any building permits.
- Lot 2 shall use proposed driveway and lot 1 shall use existing driveway and a portion of the driveway to be eliminated (resulting in the elimination of the circular driveway).

Hearing closes at 5:54 pm.

Site Plan Review – 630 John Hancock Road & Property I.D. 30-2) – for an addition of a freezer bldg.. & construction of a parking lot. – submitted by Pinnacle Realty Service (Gordon Food Services Perkins Facility)

Petitioners were invited into the enclosure. Bill Casey, National Real Estate Manager of Pinnacle Realty Services, Walter Harrigan, Sr. V.P. of Perkins (a Gordon Food Services company) Greg Tocci, Senior Principal Consultant of Cavanaugh Tocci Assoc. Inc., and James Pearson. Project Engineer were invite into the enclosure. Clerk Spencer read dept. letters from DIRB and TMLP which were placed on file. Bob stated the applicant submitted updated plans after the DIRB meeting.

Bob made motion the changes are minor, seconded by Josh. All in favor.

Bill stated they are ok with the DIRB conditions. He stated however; Note 1 & 2 refer to the haul road and he knows there is a history with the City on this and they will look at the overall project. He stated they are required to comply with the Mass. DEP Decimal regulations. He stated over the past they have looked at a number of different sites because of the business continuing to grow. They decided to remain where they are and add on. Perkins has been here a long time. They are doing their due diligence and intend on opening in September 2015. The SPR is the first step, then start construction in Fall/Winter 2014 and Spring 2015 finish and be operational 9-1-15. They will be making new parking field for their fleet trucks, owned and operated Fleet by company.

There will be 74 vehicle parked with a fuel island. There will be a connection coming off existing site. They will expand their refrigerators and docks on the southeast side, facing the quarry. They will be adding doors (3 doors to side) which will enhance shipping and more loading. They don't require any setback variance. They will be combining the 2 lots because they are owned by same entity. Manny asked about noise and overnight storage? Some trucks will be running throughout the night. The new parking lot is within the park on the Fremont Street side. There is a conservation easement and then the Dever houses. There is over 600 feet from Fremont Street and about 100' closet to north end of Fremont Street. Bob asked about noise and how they conduct their study?

Greg stated the data is being collected and we need to meet the Mass. DEP. They establish a background sound level and it has to be 10 decibels. They conduct computer modeling and they include equipment operating. There is high terrain behind parking area shielding some of the noise. If they can't meet the DEP regulations controls have to be introduced. Bob asked about what is the follow up and if there is any periodic monitoring. If there is a complaint they will re-evaluate. Public input : Deborah Carr, 175 Partridge Circle stated she is no opposed to expansion. She remembers it being very contentious with the TDC and Perkins was caught in middle. She stated the noise is greater in the winter due to no foliage on trees. She wanted to know how they deal with the noise after it's all approved. Bob stated they are required to comply with DEP regulations. If they don't then they have to re-test.

Deb asked how many trucks will there be? It was stated 87 tractors, 71 trailers. Greg stated when testing they assume full maximum and estimated yard is full one the facility is operated. They will come back again to test. Deb asked who permits the gasoline station? She knows the council issues gasoline permit? It was noted they need permit from Fire Department for State permit. Deb stated the abutters list is less than previous hearing. The secretary stated the abutters list was certified by Assessor's office. Deb stated last time there were more abutters on Fremont Street notified ? She also stated there is some odor from the Diesel fuel and exhausts. Will there be an Air Quality Study done? Deb asked if they owned the property ? They have a P&S now. She stated that the back of Partridge Circle is higher up and they area adding additional freezer space and there will be 16 new loading trucks. Brian Carr, 175 Partridge Circle opposed. He knew this day would come adding more trucks and he can hear the trucks.

They tolerate it but is major concerns is parking area. He wanted to know what ramifications do they have? He stated Perkins went above and was good to seek a solution. He stated Mr. Perkins invested a lot to help the neighbors. Mr. Harrigan stated that Gordon Food is owned by family also and they will view it same as Perkins did. They have been good neighbors and Gordon Foods has been in business since 1897. James stated the parking lot will be lit downward so as to not interfere with abutting properties. The electrical engineer prepared plans to not have any glare to abutters. Mr. Carr had big concern with noise which affects his property value. He stated Mr. Perkins depressed area and put whisper on units. Mr. Carr stated he is against project. Manny stated the haul road needs some work and needs to be brought up to standards. But he stated it's not related to the SPR the TDC is responsible for it. Mark stated at the DIRB meeting Kevin expressed sharing the cost of the maintenance. John stated if we grant and if the noise is high will they have to build a noise barrier. Bill stated they will look at options and there could be a number of remedies. Walter stated they will approach it the same way as in 2002 Perkins did the right thing and they will. They have a great relationship with Perkins and they will approach as they did. He stated the haul road should be left out of it they are working will TDC and will get it done.

Bob made motion to grant to include DIRB conditions (minus notes) and add new plan date:

Condition #1) That the plans dated August 29, 2014 revised through September 26, 2014 shall govern with the following additional conditions:

Condition #2) A Set up updated plans shall be submitted that conforms to all of the requirements of this decision before any building permits will be issued. Two sets are required.

Condition #3) The property will need an updated food permit and a hazardous materials permit from the Board of Health.

Condition #4) The site shall be kept clean and clear of debris.

Condition #5) Two sets of As-builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved

plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition #6) The north exit shall have a stop bar added as well as one way and do not enter signs on both sides.

Condition #7) The drainage plan shall be approved by the City Engineer prior to building permits.

Condition #8) The handicap ramp detail shall be fixed.

Condition #9) The drain lines being abandoned shall be labeled.

Condition #10) The pipe sizing calcs for the drainage plan shall be provided.

Condition #11) The details on the manholes shall be provided.

Condition #12) The concrete areas shall be labeled and a detail provided.

Condition #13) Truck Traffic shall not utilize Fremont Street

Condition #14) A maintenance plan for the stormceptor shall be approved prior to building permits.

Condition #15) An updated legal description shall be provided for the merged parcels prior to building permit.

Condition #16) The applicant has committee to address any nearby-resident complaints of excessive noise from the site as the Perkin family had in the past.

Kilton Place – Street Acceptance – Request from City Engineer for the City of Taunton – Need to forward recommendation to Municipal Council

Bob made motion to forward a positive recommendation to Municipal Council for street acceptance, seconded by Josh. All in favor.

Cont'd. Ashleigh Estates – Phase I – Update on completion. -

City Engineer submitted a punch list. Steve Perry was invited into the enclosure. Mark stated his list is a result of a site visit on September 9, 2014. Phase I - pavement unraveling in joints, and have gaps an inch wide. Phase 2 not complete but still has sidewalk, curbing, and there is a significant lift of pavement. He suggests adding another layer. He talked to one neighbor that has drainage problem. He estimated cost to be about \$200,000. Bob state the plans show sidewalks on both sides (4 foot) and maybe they could possibly eliminate one? Steve stated there is "loaf" curbing. Lengthy discussion took place relative to what could be done. Steve stated they cannot widen sidewalks (to meet ADA) due to encroachments (fences, stone walls, etc) Manny stated this Board has to make a decision on what can be done. This has gone on too long. Tony suggests making sidewalk bigger (ADA compliant) by narrowing the roadway. It was noted the mailboxes are in the middle of the sidewalk. Perhaps a community mail box would work. It was suggested the developer meet with Tony and Mark and see what can be done to get these streets accepted.

There are no As-Builts for Steve Drive and he would prefer to have them. It was noted Steve Drive was developed in the 1970's. The Board last month requested the applicant to supply them with an existing conditions plan showing all the encroachment and come back in Nov.

Cont'd Winthrop Heights – Update on completion

John Reardon excused. Mr. Richard Feodoroff this subdivision has 64 lots and he has landscaped the last 2 on Alanita Drive. He sold a lot of lots couple years ago and he wants to finish project. He met with City Enginer and the property is fully bounded and has preliminary As-Builts. There is a mile of roadway with water and drainage. He stated the plows hit the raised structures in road and he is thinking all will be completed end of 2015. Some discussion took place and Manny stated the longer you take to complete the worse the roadway gets. Mr. Feodoroff stated he has had some issues and he has gone out and fixed things. He has no knowledge of any complaints. Mr. Feodoroff stated he is still responsible for snow plowing. Manny stated several people have called him with complaints. Dick stated this is a beautiful subdivision.

After more discussion with regard to winter and paving Mr. Feodoroff committed to a June 1, 2015 completion date.

River Pines – Update on completion — letter from resident relative to sidewalk.

John Reardon excused and Josh Borden excused. Clerk Spencer stated an abutter submitted letter about sidewalk. Tony stated he

went out with Chairman Dermody to view sidewalks and agrees it's a minor change.

Bob made motion to find the change to be Minor and voted to approve the change in the sidewalks as follows:

The sidewalk to be constructed to end at the approximate midpoint of the cul-de-sac, the boundary of (Lot #8) 75 River Pines Drive.

Mr. Feodoroff committed to a June 1, 2015 completion date.

Chairman Dermody stated the letter from TDC annual meeting at the Holiday Inn on 10-23-14 stating the TDC is phasing out was **misleading**. Chairman Dermody stated the TDC / and MassDevelopment are working together on several projects.

Meeting adjourned at 7:30 PM